

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Consumer Financial Protection Bureau,	)	
	)	
<i>Plaintiff,</i>	)	Civil Action No. 3:CV-17-00101
	)	(Hon. Robert D. Mariani)
v.	)	
	)	
Navient Corporation, <i>et al.</i> ,	)	<b>Oral Argument Requested</b>
	)	
<i>Defendants.</i>	)	

**DEFENDANTS’ MOTION FOR JUDGMENT ON THE PLEADINGS**

Pursuant to Federal Rule of Civil Procedure 12(c) and the United States Supreme Court’s recent decision on *Seila Law LLC v. CFPB*, 591 U.S. \_\_\_, No. 19-7 (June 29, 2020), Defendants Navient Corporation, Navient Solutions, LLC, and Pioneer Credit Recovery, Inc. (collectively, “Defendants”), by and through undersigned counsel, hereby move for judgment on the pleadings in favor of Defendants on Counts I through XI of the Complaint.<sup>1</sup> *See* Compl. ¶¶ 138-97. In support of this motion, Defendants submit the attached Memorandum of Law and accompanying exhibits.

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<sup>1</sup> To the extent the Court believes it is necessary to consider materials outside the pleadings, Defendants’ motion alternatively may be converted to a motion under Rule 56. *See McLaughlin v. Forty Fort Borough*, 64 F. Supp. 3d 631, 638 (M.D. Pa. 2014) (Mariani, J.) (“If the Court considers evidence outside of the pleadings, it may convert the motion to dismiss into a motion for summary judgment.”).

Dated: July 10, 2020

Respectfully submitted,

/s/ Jonathan E. Paikin

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*Counsel for Navient Corporation, Navient  
Solutions, LLC, and Pioneer Credit  
Recovery, Inc.*

## **CERTIFICATE OF NON-CONCURRENCE**

I hereby certify that I sought concurrence from Plaintiff's counsel, Nicholas K. Jabbour, in relation to this Motion. Plaintiff's counsel does not concur in this motion

/s/ Karin Dryhurst

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## CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2020, I filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record who are deemed to have consented to electronic service.

/s/ Karin Dryhurst

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